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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : David STERN et al.



Group Art Unit: 2857

Appln. No. : 10/828,613

Examiner: Unknown

Filed : April 21, 2004

For : METHODS AND APPARATUS FOR DETECTION OF
FLUORESCENTLY LABELED MATERIALS

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria VA 22314

Sir:

Further to the Supplemental Information Disclosure Statement filed May 10, 2006, and in accordance with Applicants' duty of disclosure under 37 C.F.R. 1.56, Applicants hereby submit the following Information Disclosure Statement under 37 C.F.R. §§1.97 and 1.98. Applicants hereby brings the following information to the attention of the Examiner:

Applicants hereby provide a CD-ROM that contains GeneChip software, which software was distributed with the purchase of the chip and includes GeneChip Software, Versions 1.0, 1.0a and 2.0.

The CD-ROM includes various files thereon and the Examiner is requested to review the contents of the CD-ROM.

Applicants have printed the below listed files from the CD-ROM, including the Help Menus (which provide a broad overview of each respective program) from each of

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GeneChip Version 1.0, Version 1.0a and Version 2.0, and are enclosing copies in order to assist the Examiner in considering the information contained on the CD-ROM.

GeneChip Version 1.0 Help Menu file;

GeneChip Version 1.0a Help Menu file;

GeneChip Version 2.0 Help Menu file;

GeneChip Version 1.0 HYB&WASH.MAC file, pages 1-8, Copyright 1995 by Affymetrix, updated April 18, 1996;

GeneChip Version 1.0a HYB&WASH.MAC file, pages 1-8, Copyright 1995 by Affymetrix, updated March 28, 1996;

GeneChip Version 2.0 PRT 430a.MAC file, pages 1-8, Copyright 1995 by Affymetrix, updated April 18, 1996;

GeneChip Version 2.0 3WStain.MAC file, pages 1-11, Copyright 1995 by Affymetrix, updated December 11, 1996;

GeneChip Version 2.0 PRT 430s.MAC file, pages 1-8, Copyright 1995 by Affymetrix, updated April 18, 1996;

GeneChip Version 2.0 PRT 440a.MAC file, pages 1-8, Copyright 1995 by Affymetrix, updated April 18, 1996;

GeneChip Version 2.0 PRT 440s.MAC file, pages 1-8, Copyright 1995 by Affymetrix, updated April 18, 1996; and,

GeneChip Version 2.0 HybWash.mac file, pages 1-8, Copyright 1995 by Affymetrix, updated April 18, 1996;

Applicants note that the following document was cited in U.S. Patent No. 6,591,196 to YAKHINI et al., issued July 8, 2003 (of which, as previously noted by Applicants, claims are copied into this application):

GOLUB, Gene H. et al., "Matrix Computations," 3rd. Edition, The Johns Hopkins University Press, pages VII-XXVII and 1-694, 1996;

Citation of these documents and the submission of copies of software shall not be construed as (1) an admission that the documents are necessarily prior art with respect to the instant invention; (2) a representation that a search has been made; or (3) an admission that the information cited herein is, or is considered to be, material to patentability in any way, including that as defined in §1.56(b).

Applicants attach hereto a completed form PTO-1449. The Examiner is requested to initial the Form PTO-1449, and to return the initialed copy with the next communication from the U.S. Patent and Trademark Office.

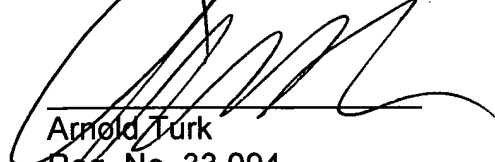
Applicants note that while this Second Supplemental Information Disclosure Statement is being filed more than three months from the filing date, Applicants have not received an action on the merits from the U.S. Patent and Trademark Office. Accordingly, consideration of the enclosed document is required under 37 C.F.R. 1.97(b)(3).

However, if an action on the merits has been mailed prior to the filing date of this Second Supplemental Information Disclosure Statement, Applicants hereby authorize the charging of any required fees necessary for consideration of the documents cited herein to Deposit Account No. 19-0089.

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Should the Examiner have any questions or comments regarding this matter, the undersigned may be contacted at the below-listed telephone number.

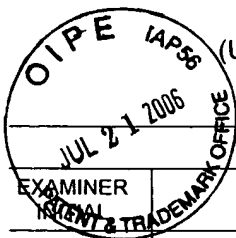
Respectfully submitted
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FORM PTO-1449	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. P29342	Application No. 10/828,613
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant David STERN et al.	
		Filing Date April 21, 2004	Group 2857



U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

1	GeneChip Version 1.0 Help Menu file
2	GeneChip Version 1.0a Help Menu file
3	GeneChip Version 2.0 Help Menu file
4	GeneChip Version 1.0 HYB&WASH.MAC file, pages 1-8, Copyright 1995 by Affymetrix, updated April 18, 1996
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11	GeneChip Version 2.0 HybWash.mac file, pages 1-8, Copyright 1995 by Affymetrix, updated April 18, 1996
12	GOLUB, Gene H. et al., "Matrix Computations," 3rd. Edition, The Johns Hopkins University Press, 1996

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.